

Remarks

Claims 1-8 are currently elected. If found to be patentable, claim group III (claim 20) will be rejoined therewith. See paper no. 20040609 at page 4.

Claims 5 and 6 are rejected as indefinite under 35 U.S.C. § 112, second paragraph. The use of the term "comprises" was said to render the claim unclear. The examiner has recommended that the claim be changed to recite that "X or Y is." This change is made in the current amendments to the claims.

Claims 7 and 8 are also rejected as indefinite under 35 U.S.C. § 112, second paragraph, because it was not clear whether the claim was to a formulation or to a compound. These claims have been rephrased to clarify that they are indeed directed to formulations. This amendment is supported at paragraph [20] of the specification as filed.

It is respectfully submitted that the amendments clarify the ambiguities in the claims.

No rejections or objections are contained in the office action with respect to claims 1-4.¹ It is respectfully submitted that these claims are in condition for allowance, and that claim 20 should also be examined and allowed, as it contains all limitations of claim 1.

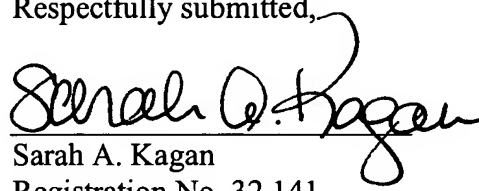
A speedy allowance is respectfully requested.

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Respectfully submitted,

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¹ Applicants discussed the fact that there was no objection or rejection to claims 1-4 with the examiner in a telephonic interview on September 28, 2004. The examiner expressed the opinion that the Office Action Summary was incorrect in stating that these claims were objected to.